

**IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**

In re:

DANIEL J. HOOTON  
STACEY M. HOOTON

*Debtors.*

Case No. 14-20965-drd-13

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DANIEL J. HOOTON  
STACEY M. HOOTON

*Plaintiffs,*

vs.

Adv. No. 15- -drd

Dreambuilder Investments, LLC

*Defendant.*

**COMPLAINT TO DETERMINE THAT THE CLAIM AND SECURITY  
INTEREST ONCE HELD BY HOMECOMINGS FINANCIAL, LLC HAS NO  
VALUE**

**COME NOW** Plaintiffs, by and through counsel, David A. Reed, Esq., and pursuant to Bankruptcy Rule 4007 and 11 U.S.C. §§105(a), 506(d), & 1322(b)(2) move the Court for a determination that Dreambuilder Investments LLC, as successor to Homecomings Financial LLC, is *not* entitled to a secured status for the putative junior mortgage of some \$31,196.67, and that any lien therefore should be deemed null and void upon a discharge under §1328(a);

**IN SUPPORT THEREOF** it is being suggested to the Court as follows:

1. Plaintiffs executed a loan agreement in the year 2000 with Homecomings Financial LLC, under the assumption they were also granting a security interest in their homestead at 24400 Cumberland Gap Ave, Warsaw MO 65355.

2. The most recent account information provided to Plaintiffs showed a balance of \$31,196.67 as of June 3, 2006.

3. Plaintiffs filed a previous Chapter 13 proceeding in the Western District of Missouri on May 31, 2006, under case number 06-20537-drd-13. Homecomings Financial LLC / GMAC were listed on the mailing matrix, but no proof of claim was ever filed by the time that the case was discharged on June 1, 2011.

4. Homecomings Financial LLC ceased to exist as of December 17, 2013 per a liquidating Chapter 11 petition filed under Title 11 in United States Bankruptcy Court.

5. Dreambuilder Investments LLC, which operates from 30 Wall Street, 6<sup>th</sup> Floor, New York, NY 10005, is the current owner of the original Homecomings Financial LLC claim, per a telephone call to Plaintiff's counsel on March 12, 2015.

6. Dreambuilder Investments, or DBI, states on its web-site that "Dreambuilder Investments is a private mortgage investment company which specializes in the acquisition, management and liquidation of defaulted mortgages nationwide."

([www.dreambuilder.net](http://www.dreambuilder.net))

7. Since March 12, 2015, numerous attempts of have been made to induce Defendant to communicate with the Trustee's office and provide documentation supporting a valid security interest, let alone a claim generally, all to no avail.

**WHEREFORE** Plaintiffs pray that the Court shall enter an order determining that any lien or claim now owned by Dreambuilder Investments LLC and originating from Homecomings Financial LLC / GMAC is void, and shall have no effect.

/s/ David A. Reed  
David A. Reed #42943 MO

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Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, and addressed to the following on this 7<sup>th</sup> day of May, 2015: Plaintiffs, Richard V. Fink, Chapter 13 Trustee, and pursuant to Bankruptcy Rule 7004(b)(3), Dreambuilder Investments LLC. c/o Founder and CEO, Peter Andrews, 30 Wall Street, 6<sup>th</sup> Floor, New York, NY 10005.

/s/ David A. Reed  
David A. Reed #42943 MO